

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND
LIZ VELAZQUEZ MCKINNON,

Defendants.

_____ /

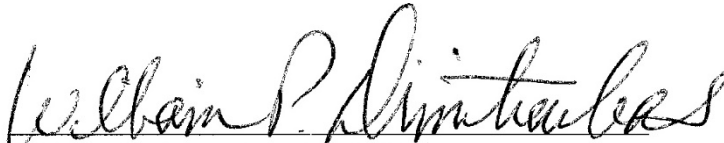
**ORDER MEMORIALIZING RULING FROM THE BENCH ON PLAINTIFF'S
MOTION FOR JUDGMENT AS A MATTER OF LAW**

THIS CAUSE is before the Court on Plaintiff Cruz Valdivieso Figuera's Motion for Judgment as a Matter of Law pursuant to Federal Rule of Civil Procedure 50, made at the close of Defendants All VIP Care, Inc. and Liz Velazquez McKinnon ("Defendants")'s case-in-chief on November 1, 2023. This Order will memorialize the rulings from the bench.

Accordingly, for the reasons stated by the Court on the record at trial, it is **ORDERED AND ADJUDGED** that Plaintiff's Rule 50 Motion is **GRANTED** as to All VIP Care Inc.'s Counterclaims for Breach of Contract (Counterclaim Count I) and Tortious Interference With Contractual Relationship (Counterclaim Count IV); **GRANTED** as to Plaintiff's Breach of Contract Claim (Count III)¹; **DENIED** as to Plaintiff's FLSA Claims (Counts I and II); and **DENIED** as to the good faith defense and damages.

¹ The Court notes that Plaintiff agreed to drop the breach of contract claim with respect to damages occurring in May 2021.

DONE AND ORDERED in Chambers in Fort Lauderdale, Broward County, Florida,
this 1st day of November 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of Record